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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GRADY O'BRYANT,

Plaintiff,

v.

AMERIPRIDE SERVICES, INC., and DOES
1-50, inclusive,

Defendants.

Case No. 2:08-cv-00919-FCD-EFB

**STIPULATION AND ORDER TO
TRANSFER ACTION TO SOUTHERN
DISTRICT OF CALIFORNIA**

STIPULATION

Currently pending before this Court is Defendant AmeriPride Services Inc.'s ("Defendant") Motion to Transfer Action to Southern District of California pursuant to 28 U.S.C. section 1404(a). It is scheduled to be heard on June 6, 2008 at 10:00 a.m. in Courtroom 2. Because Plaintiff Grady O'Bryant ("Plaintiff") does not oppose the motion, the parties hereto stipulate as follows:

1. The parties stipulate to the transfer of this case to the Southern District of California and seek assignment to Judge Marylin Huff, who presides over the related action pending in the Southern District.

2. The parties agree that Defendant's pending Motion to Transfer Action to Southern District of California shall be taken off calendar before the undersigned judge.

DATED: May 27, 2008

Respectfully submitted,

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

By: s/Julie A. Vogelzang

Julie A. Vogelzang

Attorneys for Defendant AmeriPride Services Inc.

DATED: May 27, 2008

LAW OFFICES OF WAGNER & JONES

By: s/Nicholas Wagner

Nicholas Wagner

Attorneys for Plaintiff Grady O'Bryant

ORDER

Because there is litigation pending in the Southern District of California which alleges substantially identical claims and involves the same defendant as the instant action and transfer of this action to the Southern District of California will therefore avoid duplicative litigation and the possibility of inconsistent rulings, save the parties costs and time, and create judicial efficiencies, in the interest of justice,

IT IS HEREBY ORDERED that Defendant's Motion to Transfer Action to Southern District of California be taken off calendar, and that this action be transferred in its entirety, pursuant to Section 1404(a), to the United States District Court for the Southern District of California.

DATED: May 28, 2008

By: 

UNITED STATES DISTRICT COURT JUDGE